

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
CHARLOTTESVILLE DIVISION**

BABY DOE, *et al.*

*Plaintiffs,*

V.

JOSHUA MAST, *et al.*

*Defendants,*

Case No. 3:22-cv-49-NKM

**DEFENDANTS JOSHUA AND STEPHANIE MAST’S RESPONSE TO  
UNITED STATES’ MOTION TO QUASH**

Defendants Joshua and Stephanie Mast do not oppose the United States' motion to quash the Plaintiffs' third-party subpoenas directed to Donna A. Welton of the State Department and Col. Joseph M. Fairfield and Lt. Col. Rosemary Reed of the Department of Defense. The Masts simply maintain, as they long have, that any federal officials who provide testimony in connection with this or any related proceeding must be subject to a full and fair opportunity for cross-examination. The Masts do not concede that the Government's permission is necessary to conduct such cross-examination or that the Government has the authority to limit the scope of cross-examination. But in order to avoid any doubt, they have submitted a conditional request for authorization under the applicable *Touhy* regulations such that, if the Court rules that one or more of these federal officials must testify in response to Plaintiffs' subpoenas, those witnesses will be authorized to respond fully and fairly to cross-examination on any topics on which they are examined directly.

Dated: May 21, 2024

Respectfully submitted,

/s/ John S. Moran

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